

Variance Requests Guidance Document

IOWA Health and Human Services

(Updated 08/2026)

IOWA | Health and Human Services

Variance Requests Criteria

Variance requests are applicable only to members accessing the Brain Injury (BI) and Intellectual Disability (ID) Waiver. Habilitation members needing a transition-age youth home-based habilitation setting are required to complete a Waiver of Administrative Rule request.

A variance request form must be completed for a member if they meet any of the following criteria:

- Members under the age of 16 requesting access to more than 52 Hours per month of Intermittent Supported Community Living (SCL).
- Member under the age of 16 requesting to reside in a licensed or certified Residential-Based Supported Community Living (RBSCL) setting.
- Members under the age of 16 requesting access to Daily SCL services **outside** a licensed or certified RBSCL setting.
- Members under the age of 18 requesting access to Daily SCL services with others in the setting over the age of 21.

Requesting a Variance

To request a Variance for a member, complete the following steps:

1. Complete form 470-0297 located at Home and Community-Based Services | Health & Human Services under "Information About Specific Services".
2. Gather applicable supporting documents
3. Email request form and supporting documents to exceptions@hhs.iowa.gov.
    - If supporting documents are sent separate from the request form, reference the member's name and State ID in the body of the email.

Understanding the Variance Request Process

Upon submission of form 470-0297 and all supporting documents, the following can be expected:

1. A confirmation email will be sent to the requestor acknowledging receipt of the variance request.
2. Representatives of the Long-Term Services and Support (LTSS) Policy Bureau will review the request and supporting documents. If additional information is needed, an email request will be sent to the contact listed on the request form.

3. LTSS Policy Bureau representatives will consult with the Quality Improvement Organization (QIO) – Home and Community-Based Services (HCBS) to verify the certification status of the proposed provider and confirm they are able to serve members under the age of 18.
4. LTSS Policy Bureau representatives will review the provider's policies and procedures to ensure they demonstrate the ability to serve members under the age of 18.
5. LTSS Policy Bureau representatives will verify that the proposed location is an established residential setting, and it meets HCBS settings requirements as defined by the Centers for Medicare and Medicaid Services (CMS).
6. After a thorough review of the request form, supporting documentation, and all information outlined above, LTSS Policy Bureau representatives will make a recommendation for approval or denial to the Deputy Director.
7. The Deputy Director will issue a final decision to the LTSS Policy Bureau representatives, which will be communicated via email to the contact on the request form.
8. The final decision will include detailed information regarding the responsibilities of the member's case manager, the expiration date of the variance, and instructions on required actions if the member's situation changes.

Frequently Asked Questions about Variance Requests

1. **What is required when a member moves to a new address?**
    - A new variance request must be submitted for the member prior to relocating to a new address.

2. **What if new roommates want to move in with a member who has a variance request?**
    - A new variance request must be submitted if the member is under 18 years of age and moving into a home where members are 18 years of age or over.

3. **How long does the variance request review process take?**
    - While there is no established timeframe for reviewing a variance request, due to the time-sensitive nature of most requests, the state will attempt to complete the review and issue a decision within 10 calendar days from receipt of all required information.
    - This timeframe may be extended if additional documentation is requested and there is a delay in receiving it.

4. **Can services begin before a variance request is approved?**
    - No. An approved variance request letter from HHS must be on file before services begin.

5. **Are variance requests time limited?**
    - Yes. Variance requests are valid for one year or until the member turns 16, whichever occurs first.

6. **Can a variance request be expedited in urgent situations?**
    - Yes, the requestor may request that a variance be processed as a rush. However, it is vital that all supporting documents are submitted promptly to ensure timely review.

7. **Can a member with an approved variance request reside in an RBSCL setting with individuals over the age of 18?**
    - No, The RBSCL setting is intended to only serve members under the age of 18.
    - In the event a member under the age of 18 has an approved variance to reside in an RBSCL setting and seeks to reside with a roommate who has reached the age of 18, such arrangement shall not occur within a certified or licensed RBSCL setting. In such circumstances, all members shall receive Daily SCL services in a non-RBSCL setting.

8. **Can a member who resides in an RBSCL setting and reaches the age of 18 remain in the setting and receive Daily SCL services? What is the required process?**
    - No, The RBSCL setting is intended to only serve members under the age of 18.
    - Prior to a member reaching the age of 18, the member and their interdisciplinary team shall initiate and document transition planning for movement to a Daily SCL setting. Transition planning shall include identification of service needs, setting options, and necessary support to ensure continuity of care.
    - Upon reaching the age of 18, the member shall transition from RBSCL services to Daily SCL services.

9. **What is the process if a member is 17.5 years of age and wishes to reside in an RBSCL setting?**

    It is important to note that the RBSCL setting is intended to serve members under the age of 18 only.
    - In determining what setting and service is appropriate, consideration should be given to the limited duration of eligibility in the RBSCL setting. It

may be in the best interest of the member to pursue living in a Daily SCL setting to avoid a required transition upon reaching the age of 18.

- If the member proceeds with moving into an RBSCL setting at 17.5 years of age, the member and their interdisciplinary team shall initiate and document transition planning prior to the member turning 18. Transition planning shall include identification of service needs, evaluation of appropriate service settings, and identification of necessary supports to ensure continuity of care.
- Upon turning 18, the member must transition from the RBSCL and RBSCL services to Daily SCL services.